

## CLASSIFICATION OFFICE DECISION

**Title of publication:** img 0308

**Other known title(s):** Not stated

**OFLC ref:** 1300526.000

**Medium:** Computer Image File Printout

**Publisher:** Not stated

**Country of origin:** New Zealand

**Language:** Not applicable

**Applicant:** Commissioner of Police

<b>Classification:</b>	Objectionable.
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**Descriptive note:** None

**Display conditions:** None

**Date of entry in Register:** 02 September 2013

**Date of direction to issue a label:** No direction to issue a label has been issued

**Date of notice of decision:** 02 September 2013

### Summary of reasons for decision:

The image file printout is deemed to be objectionable because it tends to promote the exploitation of young persons for sexual purposes.

The image is an amateur close-up photograph of the genitals and lower torso of a girl in her mid-teens, with part of the body of a man shown between her legs. The photograph records the sexual exploitation of the girl by a man who photographed her in circumstances where she was apparently rendered unable to prevent him performing a sexual act on her or taking photographs of the incident.

If the image was to be shared, along with details of the incident and the girl's identity, this dissemination would amount to further exploitation of the girl. Such an outcome would also tend to create or reinforce a sexual interest in girls in their mid-teens by suggesting that they are available for sexual use. The effect is to encourage the sexual exploitation of young and vulnerable members of society.

The classification of this publication interferes with the right to freedom of expression set out in

the New Zealand Bill of Rights Act 1990. However, this is an outcome that is consistent with Parliament's intention and is a reasonable limitation on the freedom of expression. The classification reflects the concern of a free and democratic society to limit the availability of publications that tend to promote the exploitation of young persons for sexual purposes.